

user-spoken transaction identifier is compared with the computer transaction identifier, and the user-spoken verification identifier is compared with a voice print of the user. An authentication message is transmitted to the computer if the user-spoken transaction identifier matches the computer-generated transaction identifier and if the user-spoken verification identifier matches the voice print.

Claim 27 is directed to a system for authenticating an electronic transaction between a first user-operated device and a computer. The computer is configured to conduct electronic transactions. The system includes a voice browser configured to receive and process user-spoken information when coupled to a second user-operated device, such as a telephone. The voice browser is programmed to compare a user-spoken transaction identifier to a computer-generated transaction identifier, and to compare a user-spoken verification identifier to a voice print of the user. A session correlator is coupled to the voice browser. The session correlator is configured to transmit an authentication message to the computer if the user-spoken transaction identifier matches the computer transaction identifier, and if the user-spoken verification identifier matches the voice print.

Claim 63 is directed to a computerized voice verification method for authenticating an electronic transaction between a user and a computer. The computer is configured to conduct electronic transactions. The method includes enrolling the user in a voice verification system whereby the user provides the system with a user voice print. The electronic transaction is performed. A transaction identifier is received from the computer via an electronic data link in response to performing the electronic transaction. A user-spoken transaction identifier is received. A user-spoken verification identifier is also transmitted by the user via a voice connection. The user-spoken transaction identifier is compared with the computer transaction identifier and the user-spoken verification identifier is compared with a voice print of the user. An authentication message is transmitted to the computer if the user-spoken transaction identifier matches the computer transaction identifier and if the user-spoken verification identifier matches the voice print.

Claim 65 is directed to a computerized method for controlling web-site navigation. The method includes providing an authentication system having a voice recognition unit and a session correlator. The voice recognition unit has access to a pre-registered voice print of the user. The authentication system is coupled to a user computer and a web-site during the computerized method. A transaction is conducted between the user computer and the web-

site. The web-site transmits a transaction identifier to the user computer and the authentication system in response to the transaction. A user-spoken transaction identifier and a user-spoken verification identifier is received via a telephonic connection. The authentication system is programmed to compare the user-spoken transaction identifier to the transaction identifier and the user-spoken verification identifier to the pre-registered voice print. An authentication message is transmitted to the web-site if the user-spoken transaction identifier matches the transaction identifier and if the user-spoken verification identifier matches the voice print. At least one user-spoken command is received for controlling web-site navigation. The authentication system is programmed to convert the at least one user-spoken command into at least one computer-readable command. The at least one computer readable command is transmitted to the web-site. The at least one computer readable command is executed by the web-site, such that the user controls web-site navigation of the web-site by the at least one user-spoken command.

Hoffman is directed to a tokenless biometric electronic identification system. The system includes data processing center (DPC) 8 coupled to various networks via firewall machine 26. See Figure 1 and the associated text. DPC 8 includes memory data bank 12, various biometric databases, and comparator engine 30, each of which are coupled to execution module 28. Data bank 12 stores audio signatures that identify transaction processors 24 (AMEX, Master Card, VISA, etc.). See column 8, lines 21-67. The biometric databases store user biometrics, such as retinal scans, voice prints, or etc. During registration, the biometric is linked with a transaction processor. A PIN code may be employed during registration for increased security. See column 7, line 59 – column 8, line 11. The biometric is also linked with account information. See column 8, lines 13 – 16.

According to MPEP 2131, “to anticipate a claim, the reference must teach every element of the claim.” A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. *Verdegaal Bros. v. Union Oil of California*, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

Claim 1 and Claim 63:

Claim 1 is a computerized method for authenticating a transaction between a user and a computer, the computer being configured to conduct electronic transactions. Claim 63 is a computerized voice verification method for authenticating an electronic transaction between a user and a computer.

The Examiner has failed to point out where Hoffman discloses the step of receiving a computer generated transaction identifier from the computer via an electronic link, as recited in claim 1 and claim 63.

The examiner maintains that the step of receiving a user-spoken transaction identifier and a user spoken verification identifier transmitted by the user via a voice connection is anticipated by col. 2, lines 45-59. However, in the cited text, Hoffman discloses a system that includes a biometric database and a comparator. The comparator compares a user-biometric sample with at least one registered biometric sample. An audio signature associated with the transaction processor (AMEX, VISA, etc.) is also stored in the system. The computer is configured to play back the audio signature to the user to identify the transaction processor. For example, the audio signature is played back to communicate to the user that he/she is trying to conduct a transaction with his/her VISA card. Thus, the Examiner has failed to point out where Hoffman teaches or discloses the step of receiving a user-spoken transaction identifier and a user spoken verification identifier transmitted by the user via a voice connection, as recited in claim 1 and claim 63.

The examiner states that the Abstract, lines 3 – 7 anticipate a step of comparing the user spoken transaction identifier with the computer transaction identifier. However, this portion of the text only states that a comparator compares a bid biometric sample to at least one registered biometric sample. As noted above, the applicant points out that the Examiner has failed to point out where Hoffman discloses the step of receiving a computer generated transaction identifier from the computer via an electronic link. The Examiner seems to be confusing the audio signature of the transaction processor with the computer generated transaction identifier. Clearly, the audio signature identifies the transaction processor whereas the transaction identifier is generated for each transaction. Thus, the Examiner has failed to point out where Hoffman discloses the step of comparing the user spoken transaction identifier with the computer transaction identifier, as recited in claim 1 and claim 63.

The examiner states that the Abstract, col. 3, lines 6-23 disclose the step of transmitting an authentication message to the computer if the user spoken transaction identifier and the user spoken verification identifier matches the voice print. The applicant notes that this verbiage is not an accurate representation of the claim language. Be that as it may, this text merely teaches that a user provide a biometric bid sample which is compared to a registered biometric sample. The system also plays back the audio signature of the

transaction processor. The user only provides one biometric bid sample. Thus, the Examiner has failed to point out where Hoffman discloses the step of transmitting an authentication message to the computer if the user-spoken transaction identifier matches the computer-generated transaction identifier and if the user-spoken verification identifier matches the voice print, as recited in claim 1 and claim 63.

The examiner also states that Hoffman discloses a matching password in column 4, lines 58-67. Referring column 5, lines 5-14, and column 7, line 60 – column 8, line 11, PINS may be employed by the user during to enhance security during the registration process. They are not used during the transaction. Referring to the second step of Figure 2, the user enters only one “Bid Biometric Sample.”

For the above reasons, the applicant believes that claims 1-26 and 63-64 are patentable under 35 U.S.C. § 102(e).

Claim 27:

The Examiner has failed to provide a *prima facie* case of anticipation with respect to claim 27 because the Examiner has failed to provide an independent examination of this claim. 37 C.F.R. 1.104 (c) (2) states: “In rejecting claims for want of novelty or for obviousness, the Examiner must cite the best references at his or her command...The pertinence of each reference, if not apparent, must be clearly explained and each rejected claim specified.”

The Examiner does not specify how Hoffman applies to claim 27. Claim 27 recites a voice browser and a session correlator. The Examiner has failed to point out where in the cited reference these claim elements can be found, if at all. Thus, the Examiner has failed to make a *prima facie* case of anticipation with respect to claim 27.

For the above reasons, the applicant believes that claims 27 - 62 are patentable under 35 U.S.C. § 102(e).

Claim 65:

The Examiner has failed to provide a *prima facie* case of anticipation with respect to claim 65 because, again, the Examiner has failed to provide an independent examination of this claim. 37 C.F.R. 1.104 (c) (2) states: “In rejecting claims for want of novelty or for obviousness, the Examiner must cite the best references at his or her command....The

pertinence of each reference, if not apparent, must be clearly explained and each rejected claim specified."

Claim 65 is a computerized method for controlling web-site navigation. The Examiner has failed to point out where Hoffman discloses or teaches a method for controlling web-site navigation. While the analysis of claims 1-26 and 63-64 provided above is equally applicable to claim 65, there are other claim elements the Examiner has failed to analyze and discuss.

For example, the Examiner has failed to point out where Hoffman discloses or teaches the step of conducting a transaction between the user computer and the web-site, wherein the web-site transmits a transaction identifier to the user computer and the authentication system in response to the transaction. The Examiner has failed to point out where Hoffman discloses or teaches the step of receiving at least one user-spoken command to control web-site navigation, as recited in claim 65. The Examiner has failed to point out where Hoffman discloses or teaches the step of transmitting the at least one computer readable command to the web-site. The Examiner has failed to point out where Hoffman discloses or teaches the step of executing the at least one computer readable command, such that the user controls web-site navigation by the at least one user-spoken command.

Thus, the Examiner has failed to make a prima facie case of anticipation with respect to claim 65. For the above reasons, the applicant believes that claims 65-68 are patentable under 35 U.S.C. § 102(e).

2. Conclusion

Based upon the remarks and papers of record, Applicant believes the pending claims of the above-captioned application are in allowable form and patentable over the prior art of record. Applicant respectfully requests reconsideration of the pending claims 1-68 and a prompt Notice of Allowance thereon.

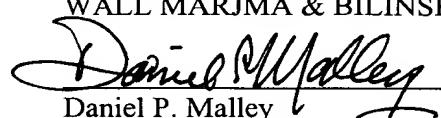
Applicant believes that no extension of time is necessary to make this Response timely. Should Applicant be in error, Applicant respectfully requests that the Office grant such time extension pursuant to 37 C.F.R. § 1.136(a) as necessary to make this Response timely, and hereby authorizes the Office to charge any necessary fee or surcharge with respect to said time extension to the deposit account of the undersigned firm of attorneys, Deposit Account 50-0289.

Please direct any questions or comments to Daniel P. Malley at (607) 256-7307.

Respectfully submitted,

WALL MARJMA & BILINSKI LLP

Date: 1/13/03


Daniel P. Malley
Registration No. 43,443
(607) 256-7303
Wall Marjama & Bilinski LLP
101 South Salina Street
4th Floor
Syracuse, NY 13202